**RESOLUTION NO. 2014 - 117** 

#### A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXTEND THE BANKING SERVICE CONTRACT WITH J.P. MORGAN CHASE; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of banking services; and

WHEREAS, METRO issued a request for banking services but needs additional time to evaluate those proposals and additional time to migrate banking services to a new platform; and

WHEREAS, METRO staff recommends a modification to the contract with J.P. Morgan Chase for banking services, extending the contract for six months and for an additional amount of \$48,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute a contract modification for banking services with J.P. Morgan Chase for up to six months for an additional amount of \$48,000.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

APPROVING AN ANNUAL PROCESS AND CONDITIONS FOR THE ALLOCATION OF FORMULA GRANTS WITHIN THE HOUSTON URBANIZED AREA (UZA); AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, as the designated recipient of federal funds allocated to the Houston Urbanized (UZA), METRO is responsible for the allocation of federal funds to sub-recipients; and

WHEREAS, METRO has periodically held consultations with Fort Bend County and Harris County to bring forward an annual list of approved projects for the receipt of federal funds; and

WHEREAS, an updated and formalized process for the selection of approved projects for receipt of federal funds will include eligibility requirements and conditions to receive funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby approves the annual allocation process of formula grants within the Houston Urbanized Area (UZA).

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

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AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH LIQUID ENVIRONMENTAL SOLUTIONS FOR THE COLLECTION, TRANSPORTATION, AND DISPOSAL OF CLASS ONE (1) WASTE FROM ALL METRO BUS AND SUPPORT FACILITIES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of services for the removal, transportation and disposal of Class one (1) waste for all of its bus operating facilities, field service center, central warehouse and rail operating facilities; and

WHEREAS, METRO issued an invitation for bid for these services; and

WHEREAS, Liquid Environmental Solutions was found to be the lowest responsive and responsible bidder for these services; and

WHEREAS, METRO staff recommends a contract for the removal, transportation and disposal of Class one (1) waste with Liquid Environmental Solutions for an amount not to exceed \$341.450.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract with Liquid Environmental Solutions for the collection, transportation, and disposal of Class one (1) waste from bus operating and support facilities for an amount not-to-exceed \$341,450.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH WCA WASTE FOR THE COLLECTION, TRANSPORTATION, AND DISPOSAL OF SOLID WASTE FROM ALL BUS OPERATING AND SUPPORT FACILITIES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of services for the removal, transportation and disposal of solid waste for all of its bus operating and support facilities; and

WHEREAS, METRO issued an invitation for bid for these services; and

WHEREAS, WCA Waste was found to be the lowest responsive and responsible bidder for these services; and

WHEREAS, METRO staff recommends a contract for the removal, transportation and disposal of solid waste with WCA Waste for an amount not to exceed \$485,707.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract with WCA Waste for the collection, transportation, and disposal of solid waste from bus operating and support facilities for an amount not-to-exceed \$485,707.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH AAR INCORPORATED FOR DEMOLITION SERVICES AT 6101, 6503 AND 6518 HARRISBURG BOULEVARD; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of demolition services at 6101, 6503 and 6518 of Harrisburg Boulevard on the East End Light Rail Corridor; and

WHEREAS, METRO issued an invitation for bid for demolition services; and

WHEREAS, AAR Incorporated was found to be the lowest qualified bidder to provide the demolition services; and

WHEREAS, METRO staff recommends a contract with AAR Incorporated for demolition services needed for the East End Light Rail Corridor for an amount not-to-exceed of \$68,800.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract with AAR Incorporated for demolition services for an amount not-to-exceed \$68,800.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

**Assistant Secretary** 

Gilbert Andrew Garcia, CFA

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AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH HEIL OF TEXAS FOR THE PURCHASE OF A RAIL SWEEPER FOR THE NEW RAIL LINES (NORTH, SOUTHEAST, AND EAST END CORRIDORS); AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of a rail line sweeper for its new light rail lines on the North, Southeast and East End Corridors; and

WHEREAS, METRO issued an invitation for bid for a rail line sweeper; and

WHEREAS, Heil of Texas was found to be the most technically responsible to provide the rail line sweeper; and

WHEREAS, METRO staff recommends a contract for the purchase of a rail line sweeper with Heil of Texas for an amount not-to-exceed \$206,808.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract with Heil of Texas for the purchase of a rail line sweeper for an amount not-to-exceed \$206,808.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH BAE SYSTEMS TO PROVIDE EXTENDED WARRANTY RELATED SERVICE REPAIRS FOR THE ORION 3600 AND 4600 MODEL BUS FLEETS; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of extended warranty related service repairs for its fleet of Orion 3600 and 4600 bus models; and

WHEREAS, METRO issued an invitation for bid for warranty related service repairs for its fleet of Orion 3600 and 4600 bus models; and

WHEREAS, BAE Systems submitted the only bid for the warranty related service repairs; and

WHEREAS, METRO staff recommends a contract for warranty related service repairs for its fleet of Orion 3600 and 4600 bus models with BAE Systems for an amount not-to-exceed \$16,220,160.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract with BAE Systems to provide extended warranty related service repairs for METRO's Orion 3600 and 4600 model bus fleets for an amount not-to-exceed \$16,220,160.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October, 2014 APPROVED this 23<sup>rd</sup> day of October, 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA

A RESOLUTION DECLARING THE EXISTENCE OF A PUBLIC NECESSITY FOR METRO TO ACQUIRE CERTAIN PROPERTY INTERESTS; DECLARING THAT THE ACQUISITION OF THOSE PROPERTY INTERESTS IS NECESSARY AND PROPER FOR THE CONSTRUCTION, EXTENSION, IMPROVEMENT OR DEVELOPMENT OF METRO'S TRANSIT SYSTEM; AUTHORIZING THE INITIATION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERTY INTERESTS; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, METRO is constructing high capacity transit in the Southeast corridor and related station and terminal facilities and support infrastructure; and

WHEREAS, METRO staff identified certain property and interests in property to be acquired for transit purposes in connection with the construction and operation of the Southeast corridor light rail line; and

WHEREAS, the Board previously authorized the acquisition of properties and interests in properties along the preferred routes for the Southeast corridor; and

WHEREAS, METRO has endeavored to negotiate in good faith and is continuing to negotiate in good faith with the owners of certain reversionary interests in property across which the Southeast corridor is being constructed in an effort to purchase such interests, but it appears that it may be necessary to exercise METRO's power of eminent domain to acquire those reversionary interests; and

WHEREAS, a public hearing has been held for the purpose of hearing testimony and receiving evidence regarding the proposed acquisition of the property described as:

The reversionary interests in a certain 0.1852 acre (8,069 square feet) tract of land situated in Luke Moore Survey, Abstract Number 51, Harris County, Texas, being out of a called 75 acre tract of land described in Deed from Houston Independent School District to the University of Houston, executed March 22, 1945, as recorded in Volume 1383, Page 69

of the Harris County Deed Records, said 0.1852 acre tract being more particularly described in the attached Exhibit A.

WHEREAS, having had a public hearing for the public to present its comments, the Board is of the opinion that there exists a public necessity and it is in the public interest for METRO to acquire the property interests described above.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby finds and declares that there exists a public necessity and it is in the public interest for METRO to acquire for transit purposes in connection with the construction and operation of the Southeast corridor light rail line the reversionary interests in and to the property described in the attached Exhibit A.

Section 2. The Board of Directors hereby finds and declares that the acquisition of such property interests is necessary and proper for the construction, extension, improvement or development of METRO's transit system.

Section 3. The President & CEO, along with legal counsel, is hereby authorized and directed to acquire, by donation, purchase, or exercise of the power of eminent domain, the property interests described above in connection with the construction and operation of the transit system improvements contemplated in the Southeast travel corridor.

Section 4. This Resolution is effective immediately upon passage.

PASSED this 23<sup>rd</sup> day of October 2014 APPROVED this 23<sup>rd</sup>day of October 2014

ATTEST:

Assistant Secretary

Gilbert Andrew Garcia, CFA